

House Bill 326 (AS PASSED HOUSE AND SENATE)

By: Representatives Lane of the 158th, Knight of the 126th, Williams of the 165th, Burns of the 157th, Dobbs of the 53rd, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Title 27 of the Official Code of Georgia Annotated, relating to game and fish, so
2 as to change certain provisions relating to effective periods of hunting, fishing, and trapping
3 licenses generally; to change certain provisions relating to archery and primitive weapons
4 hunting license, all weapons hunting license, sportsman license, license card carrier
5 requirement, and creation of lifetime sportsman's license; to change certain provisions
6 relating to required hunter education courses; to change certain provisions relating to trout
7 license, official Georgia waterfowl license, big game license, and alligator hunting license;
8 to change certain provisions relating to powers of department as to making and entering into
9 agreements relating to hunting license reciprocity; to change certain provisions relating to
10 falconry permits, duties, permitted acts, and prohibitions pertaining to permit holders; to
11 change certain provisions relating to field and retriever trials, permits, and hunting licenses;
12 to change certain provisions relating to game and fish license, permit, tag, and stamp fees;
13 to change certain provisions relating to laws applicable to shooting preserves and
14 requirements as to hunting licenses; to amend an Act to amend Title 27 of the Official Code
15 of Georgia Annotated, approved March 10, 1992 (Ga. L. 1992, page 470), so as to delete
16 certain provisions relating to reduction of game and fish license, permit, tag, and stamp fees;
17 to amend an Act to amend Title 27 of the Official Code of Georgia Annotated, approved June
18 3, 2003 (Ga. L. 2003, page 654), so as to repeal and delete certain provisions relating to game
19 and fish license, permit, tag, and stamp fees and an effective date; to amend an Act to amend
20 Article 1 of Chapter 2 of Title 27 of the Official Code of Georgia Annotated, approved May
21 5, 2005 (Ga. L. 2005, page 517), so as to repeal and delete certain provisions relating to game
22 and fish license, permit, tag, and stamp fees and an effective date; to provide for an effective
23 date; to repeal conflicting laws; and for other purposes.

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended by revising Code Section 27-2-3, relating to effective periods of hunting, fishing, and trapping licenses generally, as follows:

"27-2-3.

(a) Except as otherwise specifically provided, all hunting, fishing, and trapping licenses, including without limitation commercial fishing and commercial fishing boat licenses issued pursuant to Code Section 27-2-8, shall be effective from April 1 to March 31 of the following year; except that all annual, two-year, or other multi-year hunting, fishing, and hunting and fishing combination licenses issued pursuant to paragraphs (1) through (4) of Code Section 27-2-23 shall be effective ~~for 12 months from~~ through the applicable one-, two-, or multi-year anniversary of the date of issuance.

(b) Multi-year licenses valid for any desired number of years may be purchased through a single transaction for licenses listed in paragraphs (1) through (4) of Code Section 27-2-23. The fee for any such multi-year license shall be equivalent to the lowest cost combination of annual or two-year licenses necessary to form the desired multi-year license period. No multi-year license shall be valid at the time of hunting or fishing unless the licensee is a resident of this state at such time."

SECTION 2.

Said title is further amended by revising subsection (a) of Code Section 27-2-3.1, relating to archery and primitive weapons hunting license, all weapons hunting license, sportsman license, license card carrier requirement, and creation of lifetime sportsman's license, as follows:

~~"(a) Persons hunting during any archery season or primitive weapons season must purchase a primitive weapons license, unless otherwise provided by this title~~ Reserved."

SECTION 3.

Said title is further amended by revising subsection (e) of Code Section 27-2-5, relating to required hunter education courses, as follows:

"(e) Any person applying for ~~a season nonresident hunting~~ an annual nonresident hunting/fishing license may provide a certificate of completion or such other evidence of completion the department deems acceptable of the official hunter education or hunter safety course of such person's state of residence if that course shall have been approved by the department. Those persons applying for a hunting license other than a season hunting license shall not be required to exhibit such a certificate or to complete a hunter education course in order to obtain the license."

SECTION 4.

Said title is further amended by revising subsection (b) of Code Section 27-2-6, relating to trout license, official Georgia waterfowl license, big game license, and alligator hunting license, as follows:

"(b) It shall be unlawful for any person who has attained the age of 16 years to hunt or possess big game unless such person has in his or her possession a big game license in addition to the required hunting license; provided, however, that all nonresidents, regardless of age, must possess a nonresident ~~hunting~~ hunting/fishing license along with any harvest records required by law or regulation to hunt big game in this state."

SECTION 5.

Said title is further amended by revising subsections (a) and (c) of Code Section 27-2-7, relating to powers of department as to making and entering into agreements relating to hunting license reciprocity, as follows:

"(a) The department is authorized to make and enter into agreements, from time to time, with the proper authorities of the States of Alabama, Florida, South Carolina, North Carolina, and Tennessee whereby a citizen of the State of Georgia who owns farm lands in such adjoining states may purchase a resident hunting license in the state in which his land is situated which will permit said Georgia citizen to hunt on his own land in the adjoining state without purchasing a nonresident hunting license in that state. The department is authorized to reciprocate this courtesy and issue a resident hunting license in Georgia to citizens of such adjoining states who own farm lands in Georgia, permitting such citizens to hunt on their own land in Georgia without purchasing a nonresident ~~hunting~~ hunting/fishing license."

"(c) The department is authorized to make and enter into agreements, from time to time, with the proper authorities of the States of Alabama, Florida, North Carolina, South Carolina, and Tennessee, regarding nonresident ~~hunting~~ hunting/fishing license fees, seasons, and bag limits; provided, however, that such seasons and bag limits for nonresident hunters shall not be less restrictive than those which control Georgia residents; and provided, further, that nonresident license fees in Georgia shall not be less than the amount established in Code Section 27-2-23 for a small game hunting license and for a big game hunting license."

SECTION 6.

Said title is further amended by revising subsections (a) and (w) of Code Section 27-2-17, relating to falconry permits, duties, permitted acts, and prohibitions pertaining to permit holders, as follows:

"(a) It shall be unlawful for any person to trap, take, transport, or possess raptors for falconry purposes unless the person first procures, in addition to a valid hunting license, a valid falconry permit as provided in Code Section 27-2-23, provided that it shall not be unlawful for a nonresident to transport or possess raptors in this state for falconry purposes if the person has a nonresident ~~hunting~~ hunting/fishing license, as provided in Code Section 27-2-23, and a falconry license or permit from the state of residence of the person, which state meets federal falconry standards."

"(w) It shall be lawful for a nonresident to take or attempt to take raptors from the wild in this state if the nonresident has a valid general or master level falconry permit from such person's state of residence and a valid Georgia nonresident ~~hunting~~ hunting/fishing license and if such person's state of residence provides the same privileges to residents of Georgia."

SECTION 7.

Said title is further amended by revising subsection (c) of Code Section 27-2-21, relating to field and retriever trials, permits, and hunting licenses, as follows:

"(c) All persons participating in a field or retriever trial will be required to have an appropriate resident ~~or nonresident~~ hunting license or nonresident hunting/fishing license unless the field or retriever trial is recognized by a nationally registered field trialing organization or unless the field or retriever trial is conducted by a local field trialing organization based in the State of Georgia which is recognized by the department as being qualified to conduct such trial."

SECTION 8.

Said title is further amended by revising Code Section 27-2-23, relating to game and fish license, permit, tag, and stamp fees, as follows:

"27-2-23.

Fees for licenses, permits, tags, and stamps required by this title shall be as follows:

(1) Hunting licenses:

(A) Resident hunting license	Annual	\$ 10.00
(B) Nonresident <u>Resident</u> hunting license	Annual <u>Two-year</u>	75.00 <u>18.00</u>
(C) Nonresident three-day hunting license	Three-day	30.00
(D) Resident one-day hunting license	One-day	5.50
(D.1) Nonresident one-day hunting license	One-day	12.00
(E) <u>(C)</u> Resident big game license	Annual	9.00

128	(F) <u>(D)</u> Nonresident big game license	Annual	135.00
129			<u>195.00</u>
130	(F.1) <u>(E)</u> Nonresident three-day big game	Three-day	50.00
131	license		<u>90.00</u>
132	<u>(F) Resident big game license</u>	<u>Two-year</u>	<u>16.00</u>
133	(G) Nonresident shooting <u>Shooting preserve</u>		
134	hunting license <u>valid for residents and</u>	Season	
135	<u>nonresidents</u>	<u>Two-year</u>	12.00
136	(H) Commercial fox hunting preserve license	Season	60.00
137	(I) Commercial fox breeder license	Season	60.00
138	(J) Waterfowl license valid for residents		
139	and nonresidents	Annual	5.50
140	<u>(K) Waterfowl license valid for residents and</u>		
141	<u>nonresidents</u>	<u>Two-year</u>	<u>11.00</u>
142	(K) <u>(L)</u> Georgia migratory bird license	Annual	Free
143	(L) Resident primitive weapons license	Annual	8.00
144	(M) Nonresident primitive weapons license	Annual	25.00
145	<u>(2) Hunting and fishing licenses:</u>		
146	(2) <u>(A) Resident hunting/fishing license</u>	Annual	17.00
147	<u>(B) Resident hunting/fishing license</u>	<u>Two-year</u>	<u>31.00</u>
148	<u>(C) Nonresident hunting/fishing license</u>	<u>Three-day</u>	<u>20.00</u>
149	<u>(D) Resident hunting/fishing license</u>	<u>Three-day</u>	<u>3.50</u>
150	<u>(E) Nonresident hunting/fishing license</u>	<u>Annual</u>	<u>100.00</u>
151	<u>(3) Sportsman's licenses:</u>		
152	(3) <u>(A) Resident sportsman's license</u>	Annual	60.00
153			<u>55.00</u>
154	<u>(B) Resident sportsman's license</u>	<u>Two-year</u>	<u>105.00</u>
155	<u>(4) Recreational fishing licenses:</u>		
156	(A) Resident fishing license	Annual	9.00
157	<u>(B) Resident fishing license</u>	<u>Two-year</u>	<u>16.00</u>
158	(B) <u>(C)</u> Nonresident fishing license	Annual	24.00
159			<u>45.00</u>
160	(C) Nonresident fishing license	Seven-day	7.00
161	(D) Fishing license, valid for residents		
162	and nonresidents	One-day	3.50

163	(E) <u>(D)</u> Resident trout license	Annual	5.00
164	<u>(E) Resident trout license</u>	<u>Two-year</u>	<u>10.00</u>
165	<u>(F) Resident trout license</u>	<u>Three-day</u>	<u>3.50</u>
166	(F) <u>(G)</u> Nonresident trout license	Annual	13.00
167			<u>20.00</u>
168	<u>(H) Nonresident trout license</u>	<u>Three-day</u>	<u>10.00</u>
169	(5) Trapping licenses:		
170	(A) Resident commercial trapping license	Annual	30.00
171	(B) Nonresident commercial trapping license	Annual	295.00
172	(6) Commercial fishing licenses:		
173	(A) Resident commercial fishing license	Season	12.00
174	(B) Nonresident commercial fishing license	Season	118.00
175	(C) Resident commercial crabbing license	Season	12.00
176	(D) Nonresident commercial crabbing license	Season	118.00
177	(7) Fur, hide, and pelt licenses:		
178	(A) Resident fur dealer license	Annual	295.00
179	(B) Nonresident fur dealer license	Annual	415.00
180	(C) Fur dealer's agent license	Annual	180.00
181	(8) Miscellaneous licenses and permits:		
182	(A) Retail fish dealer license	Annual	10.00
183	(B) Wholesale fish dealer license	Annual	59.00
184	(C) Resident game-holding permit	Annual	5.00
185	(D) Commercial quail breeder permit	Annual	30.00
186	(E) Scientific collecting permit	Annual	50.00
187	(F) Wildlife exhibition permit	Annual	59.00
188	(G) Commercial shooting preserve license	Annual	150.00
189	(H) Private shooting preserve license	Annual	75.00
190			<u>50.00</u>
191	(I) Blanket commercial shooting preserve		
192	license	Annual	500.00
193	(J) Commercial fish hatchery license	Annual	59.00
194	(K) Catch-out pond license	Annual	236.00
195	(L) Soft-shell crab dealer license	Annual	10.00
196	(M) Resident taxidermist license	Three-year	150.00
197	(N) Nonresident taxidermist license	Three-year	500.00

198	(O) Falconry permit	Three-year	30.00
199	(P) Commercial alligator farming license	Annual	50.00
200	(Q) Alligator <u>Resident alligator</u> hunting license	Annual	50.00
201	<u>(R) Nonresident alligator hunting license</u>	<u>Annual</u>	<u>200.00</u>
202	(R) <u>(S)</u> Wild animal license	Annual	236.00
203	(S) <u>(T)</u> Wild animal auction license	Seven-day	5,000.00
204	(T) <u>(U)</u> Resident bait dealer license	Season	25.00
205	(U) <u>(V)</u> Nonresident bait dealer license	Season	150.00

206 (9) The board is authorized to provide by rule for a fee not to exceed \$19.00 for resident
 207 daily, seasonal, or annual use permits, or licenses, ~~or stamps~~; a fee of \$38.00 for resident
 208 two-year use permits; or a fee not to exceed \$73.00 for nonresident annual use permits
 209 or licenses to hunt and fish on or otherwise use specially designated streams, lakes, public
 210 fishing areas, or wildlife management areas ~~or a fee not to exceed \$73.00 for nonresident~~
 211 ~~permits, licenses, or stamps issued under this paragraph.~~

212 (10) The fees established in subparagraphs (1)(A) through (1)(F), (2)(A), (2)(B), (2)(E),
 213 (3)(A), (3)(B), (4)(A), (4)(B), (4)(C), (4)(D), (4)(E), and (4)(G) of this Code section shall
 214 be reduced by \$2.75 for each renewal transaction made before the expiration date of the
 215 then current license or tag. For purposes of this paragraph, the term 'renewal transaction'
 216 means the renewal of one or more licenses by a licensee during a single telephone call,
 217 Internet session, or on-site visit to a store."

218 SECTION 9.

219 Said title is further amended by revising Code Section 27-3-114, relating to laws and
 220 regulations applicable to shooting preserves and requirements as to hunting licenses, as
 221 follows:

222 "27-3-114.

223 Except as otherwise specifically provided, all wildlife laws and regulations shall be in full
 224 force and effect on shooting preserves licensed pursuant to this article. Specifically,
 225 hunting licenses shall be required of all persons hunting on such preserves; provided,
 226 however, that it shall be lawful for any resident or nonresident to hunt pen raised game
 227 birds on such a preserve with a ~~nonresident~~ shooting preserve hunting license as provided
 228 in Code Section 27-2-23; and provided, further, that it shall be lawful for any person to
 229 hunt pen raised game birds without a hunting license on a shooting preserve which
 230 possesses a valid blanket shooting preserve license as provided in Code Section 27-2-23."

231 **SECTION 10.**

232 An Act to amend Title 27 of the Official Code of Georgia Annotated, approved March 10,
233 1992 (Ga. L. 1992, p. 470), is amended by deleting the proviso at the end of Section 5 which
234 reads as follows:

235 "; provided, however, that the fees which are increased in Sections 1 and 3 of this Act shall
236 on March 31, 2012, be reduced to the level of such fees prior to the effective date of this
237 Act"

238 **SECTION 11.**

239 An Act to amend Title 27 of the Official Code of Georgia Annotated, approved June 3, 2003
240 (Ga. L. 2003, p. 654), is amended by repealing Section 7B and deleting paragraph (3) of
241 subsection (b) of Section 14 which reads as follows:

242 "(3) Section 7B of this Act shall become effective on March 12, 2012."

243 **SECTION 12.**

244 An Act to amend Article 1 of Chapter 2 of Title 27 of the Official Code of Georgia
245 Annotated, approved May 5, 2005 (Ga. L. 2005, p. 517), is amended by repealing Section
246 2 and deleting the exception at the end of Section 3 which reads as follows:

247 "; except that Section 2 of this Act shall become effective on March 31, 2012."

248 **SECTION 13.**

249 This Act shall become effective upon its approval by the Governor or upon its becoming law
250 without such approval.

251 **SECTION 14 .**

252 All laws and parts of laws in conflict with this Act are repealed.